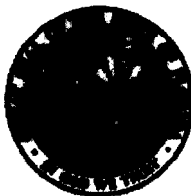


State of Florida

Commissioners:

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Public Service Commission

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August 30, 1995

SEP 01 1995

FCC MAIL ROOM

BY FEDERAL EXPRESS

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: CC Docket No. 95-116 - RM 8535

Dear Mr. Caton:

Enclosed please find the original and 14 copies of the Florida Public Service Commission's Comments in the above docket. Please date stamp and return one copy in the enclosed self-addressed envelope.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cynthia B. Miller".

Cynthia B. Miller
Associate General Counsel

CBM/jb
Enclosure

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

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In the Matter of:

Telephone Number Portability

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) CC Docket No. 95-116
) RM 8535
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SEP 01 1995

**COMMENTS OF THE
FLORIDA PUBLIC SERVICE COMMISSION**

FCC MAIL ROOM

On July 13, 1995, the Federal Communications Commission (FCC) issued the above Notice of Proposed Rulemaking (NPRM) to develop information concerning the matter of Number Portability.

We have organized our comments to follow, as closely as possible, the structure and paragraph numbering of the NPRM.

SERVICE PROVIDER PORTABILITY FOR GEOGRAPHIC TELEPHONE NUMBERS

The Florida Public Service Commission (FPSC) supports the conclusion that number portability will benefit consumers by providing them the ability to select the best telecommunications options without the concern of having to change their telephone number. This benefit has already been recognized by the Florida legislature through a statutory amendment that requires an interim number portability solution be implemented by January 1, 1996. We believe that number portability not only will provide consumers with more options, but contribute significantly to the development of competition among alternative providers of local exchange telephone services. (¶19)

We believe it is important to develop a national method for long term number portability. Without a national method which

has specific parameters and technical standards, carriers' ability to port numbers may be limited due to the different solutions implemented on a state level. If this happens, the full potential benefit of number portability may never be realized. With this understanding, we urge the FCC to assume a leadership role, with input from states such as these comments in this proceeding, in developing a permanent national solution. Further, the FCC should ensure either through rule or order that all local exchange telecommunications providers implement the permanent, national solution developed in this proceeding. (§19)

The FCC should weigh the cost of making numbers portable against the benefit realized by a specific solution. The level of costs for these solutions are proportional to the degree of portability. For example, if the FCC requires service provider or location portability only within a specific area code or state, the cost associated with that type of number portability is considerably less than if the FCC requires number portability on a national basis. Although we want to ensure all customers eventually have the ability to receive services from new competitors, we realize that competitors will initially be attracted to urban areas, and thus the need for number portability will be greater in these areas. We believe it is possible to initially develop a number portability solution on a limited basis, either area code or state, and meet the need identified above at the least cost possible. The solution should

be able to evolve in order to provide number portability to all areas. (§19)

The NPRM seeks comments on the feasibility of interim number portability solutions. As pointed out in the NPRM, the interim number portability solutions which are in use and accepted by the industry are Remote Call Forwarding, Flex DID, or some variation of these services. We recommend that the FCC focus its review of number portability on a long term solution and not be concerned with the implementation of an interim number portability solution. All of these interim solutions have disadvantages such as the use of two telephone numbers for Remote Call Forwarding, but we believe the industry can live with the interim solutions as long as the long term number portability solutions can be developed on an expedited basis. Given the statutory mandate in Florida to provide interim number portability by January 1, 1996, any FCC progress on an interim method would probably come too late to be of any practical use. (§19)

IMPORTANCE OF NUMBER PORTABILITY

The NPRM identified three types of number portability: service, service provider, and location. These number portability types are actually phases to what would be considered an ultimate number portability solution, national location number portability, which may not be cost justified at this time. For the most part, service portability is currently available today

as long as the switch serving the customer has the specific functionality. Therefore, unless the FCC intends to require specific switch functionality to be deployed (which will be uneconomic in some locations), we recommend that the FCC focus on the development of service provider and location portability which will meet the current need for number portability. In areas with new competitors, market forces should provide the services desired by customers. (§25)

As stated before, we believe the cost of service provider and location portability are proportional to the level of portability. The level to which number portability is required initially should encompass areas of competitive interest and development. As stated previously, while we want to ensure all customers eventually have the ability to receive services from new competitors, we realize that competitors will initially be attracted to urban areas, and thus the need for number portability is greater in these areas. We are concerned that the development of a large scale number portability solution will take considerable time to implement. The most prominent need for number portability at this time is the ability of new local exchange carriers to serve customers without the necessity for the customer to change their telephone number. This in our opinion is a major issue in the development of local exchange competition. We believe the need for number portability is best met by the development of a service provider solution which can

evolve into a limited location portability if there is sufficient need. There may not be sufficient customer need for location portability to warrant the cost that may be associated with the development and deployment of this type of solution. Only if the evidence in this record demonstrates that the cost of limited location portability within an area is not significantly greater than the cost of service provider portability for that area should the FCC mandate location and provider portability.

(¶24,26,48)

With respect to location portability, we should note that this type of portability should not adversely affect the development of 500 number service and vice versa. Location portability seems to be aimed at those customers who have relocated their premises, while 500 number service seems to be aimed at those customers whose normal routine takes them to many different places over the course of a day, week, or month. (¶27)

THE FCC'S ROLE

While industry and market forces can help shape the development of a national solution for number portability, regulators will need to play a critical role in sorting out and balancing the different impacts each type of solution may have on different carriers. Therefore, the FCC should take all measures available to expedite the development of a national number portability method. We believe the FCC should adopt rules

specifying the national method for number portability and requiring all providers of local exchange service to provide number portability in areas where local exchange competition is developing. In addition, the FCC should establish the technical and performance standards for number portability and mandate compliance with these standards via its rule proceeding.

(¶28,33,34)

Since we believe the development of a national method for number portability is appropriate, an individual state's interim number portability requirements should not impede the development of a national solution. The permanent, national solution will undoubtedly be some sort of database method. The states which develop a state-specific method should recognize the public benefit of having a single number portability method across the country and ensure their state-specific method is capable of evolving to the national method once developed. States should be able to accomplish this evolution with little difficulty since most, if not all, the trials in the states are based on a database solution. (¶32)

LONGER-TERM NUMBER PORTABILITY SOLUTIONS

We recommend that the FCC require a long term service provider number portability solution which can evolve to a long term area code or state-wide location portability solution if a need develops. This type of solution can be implemented on an

expedited basis at the least cost to all parties. Any mandate of a location portability solution which covers an area larger than a state may require companies to incur costs in areas where there is no need or desire for number portability. (§35)

The solution developed should be based on a regional database method which supports operator and 911 services. The database should include all billing and routing information necessary to handle any solution mandated by the FCC. We believe the North American Numbering Council should select a neutral third party to administer the day-to-day operations of the database. All other requirements related to parameters, access and technical standards should be included in the FCC's rules for number portability. In addition, it is important for the solution to utilize the numbering resources in the most efficient manner possible since these numbering resources are limited. When the existing supply of numbers is exhausted, significant revisions to the North American Numbering Plan and network modifications will be required. The cost associated with the implementation of a number portability solution should be shared between all competing local exchange service providers.

(§41,42,52,54)

The NPRM identified possible methods for designating the responsible carrier in the call origination and termination sequence to perform the database query to determine appropriate routing. The responsibility for the database query can be

assigned to the terminating "access" provider (TAP), the originating service provider (OSP), or the N-1 provider (i.e., the next to last carrier that handles the call). All three scenarios will place a burden on the current SS7 network through the necessity for database queries in order to determine appropriate routing instructions. As discussed throughout these comments, we are concerned with requiring companies to incur costs where there is no need. The OSP call processing scenario will require all companies to do database queries on all calls outside of a specific switching entity to determine whether specific routing instructions are needed. The TAP call processing scenario appears preferable since this will limit the number of database queries to those telephone numbers that have been ported to another carrier. The major concern with this scenario is whether the added routing of the call will cause any degradation of the quality of service. We believe this call processing scenario will limit the number of carriers that have to access the database, as well as limit the cost of number portability to areas where there are new competitors of local exchange service. If it is determined in this proceeding that the TAP call processing scenario causes a degradation of the quality of service, the FCC should mandate the N-1 call processing scenario since it would limit the costs incurred to implement the number portability solution to those carriers serving areas where competition is evolving. Under the N-1

scenario, the originating service provider would make the database query on a local call, and the interexchange carrier would make the database query on a toll call. (§43,44,45,46,47)

PORTABILITY FOR NON-GEOGRAPHIC TELEPHONE NUMBERS

We agree with the FCC that service provider portability for 900 and 500 numbers is beneficial for customers of those services. The development of this type of service provider portability will allow customers to choose the service provider which best meets their needs. Assuming this type of portability is not cost prohibitive, the FCC should begin to develop service provider portability for 900 and 500 numbers. (§69)

CONCLUSION

The Florida Public Service Commission supports the FCC's development of a national number portability solution. However, we are concerned with the potential impact to carriers serving areas where competition is not developing at this time. We believe the FCC's number portability solution should only impact carriers where competition is developing and be capable of evolving to other areas as competition develops. Therefore, the FPSC would recommend the FCC establish a service provider database number portability solution utilizing a TAP call processing scenario at this time. This solution should be able

to evolve to a limited location number portability solution if the need develops.

The FPSC believes the FCC should focus on the development of a long term number portability solution instead of attempting to litigate an interim solution. We believe the interim solutions currently available will provide a short term means for access to existing customers for new competitors which appears to be the current need for number portability.

Respectfully submitted,


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